The International Criminal Tribunal for the Former Yugoslavia (ICTY), set up 20 years ago, is winding down amid controversy. Recent judgments have shocked and stunned supporters of the tribunal. Refik Hodzic, a Bosnian and former spokesman for the ICTY, says that it is no longer “our court” and that it is now undergoing a “baffling self-destruction”.

The tribunal had recently acquitted a former head of Serbia’s secret police and his right-hand man, despite it being exposed with great details about various militias they had formed, trained and financed and the crimes that those militias had committed. This is merely due to the insufficient evidence showing the accused had ordered these crimes. A day earlier six Bosnian Croats were convicted.

Eric Gordy of London’s School of Slavonic and East European Studies says that the standards for convictions have changed in the last few months compared with earlier judgments. It is no longer enough “to have provided the resources to have committed a crime...you needed specific knowledge of it”. A court insider views that latest standard of the tribunal have weakened the criteria for holding political leaders accountable, and will severely impact international justice. He argues that past convicted peoples would not be in jail by the tribunal’s new standard.

Moreover, there have been dissatisfaction as to the outcome of the ICTY’s decision, where the tribunal rarely convicts war crimi-
nals from the Serbian or Croatian Government and Yugoslav Armed Forces. This according to Mr. Gordy, results in a mismatch between the tribunal’s judicial record and actual historical record.

For the record, out of the 161 cases indicted in the ICTY, 69 cases have been convicted, 18 cases acquitted, 13 cases sent home for trial and 25 cases are still ongoing. Three of the ongoing cases are particularly prominent ones: those of Radovan Karadzic, the wartime leader of the Bosnian Serbs, Ratko Mladic, his military chief and Goran Hadzic, a former Croatian Serb leader. (TMA)

Australia Censures Japan for ‘Scientific’ Whaling

http://www.guardian.co.uk/environment/2013/jan/26/australia-japan-whaling

Japan is using scientific research as an excuse to conduct commercial whaling in defiance of an international ban, Australia said on June 26th 2013, at the start of a landmark legal bid to put a permanent end to the annual slaughter of almost 1,000 whales in the Southern Ocean.

Australia, with the support of New Zealand, has asked the International Court of Justice to withdraw all permits for future whale hunts from the Japanese fleet.

The hearings in the Hague will last three weeks and a decision is expected before the end of the year, possibly in time to halt Japan’s next whaling expedition. The decision by the top UN court will be final, as there is no appeals process.

“Japan seeks to cloak its ongoing commercial whaling in the lab coat of science,” Australia’s agent to the court, Bill Campbell, told the 16-judge panel. Opponents of Japan’s Antarctic whale hunts say research into the animals’ migratory, reproductive and other habits can be conducted without killing them.

Japan, however, claims that lethal research is necessary to acquire the data needed to reexamine the International Whaling Commission’s (IWC) ban and possibly return to sustainable commercial whaling, and insists that such conduct is still in accordance to the terms set by the 1946 International Convention for the Regulation of Whaling. It uses a provision in the IWC’s 1986 ban
on commercial whaling to kill more than 900 minke whales every winter, although recent hauls have been far smaller following clashes with the marine conservation group Sea Shepherd.

Meat from the Antarctic hunts is sold legally in Japanese shops and restaurants—a practice that campaigners say proves the research hunts are a cover for commercial whaling.

Campbell said that if all signatories to the convention killed as many minke whales as Japan does, then more than 83,000 would be slaughtered in the Southern Ocean every year. That would be "catastrophic" for whale populations, he told the court. Australian officials say Japan has killed more than 10,000 whales since the IWC ban went into effect.

Campaigners applauded Australia’s unprecedented legal action, which has been more than three years in the making. “Japan’s whaling subverts international will to protect these animals from commercial slaughter,” said Kitty Block, vice president of the Humane Society International. She further adds, “Whaling under the guise of the scientific exemption to the moratorium is an abuse of rights and a breach of conservation obligations as Japan is a member of the International Whaling Commission.” (TMA)

Terror Financing: Tracking the Money Trails


It is not a surprising situation that money fuels the operations of terrorists, these monetary funds are needed to communicate, buy supplies, budget planning, and carry out acts of destruction.

However, in this secretive world of terrorism, this spending leaves a trail—a trail that we can follow to help expose extremists and their network of supporters. Therefore, shortly after 9/11, the US government established the Terrorist Financing Operations Section (TFOS). Within the FBI, TFOS has a role in following the
money, providing financial expertise on our terrorism investigations, and centralizing efforts to identify extremists and shut down terrorism financing in specific cases. More recently, TFOS has adopted a broader strategy to identify, disrupt, and dismantle all terrorism-related financial and fundraising activities. A key element is using financial intelligence to help identify previously unknown terrorist cells, recognize potential terrorist activity/planning, and develop a comprehensive threat picture.

This money trailing to eradicate terror financing is challenging work. This can be easily explained by how small the dollar amounts can be to finance such attacks. For example, the Oklahoma City bombing cost a little over $4,000 to carry out, the attack on the USS Cole about $10,000, and the London subway bombings around $14,000.

At the same time, terror groups can obtain funding from seemingly legitimate sources—like donations, community solicitations, and other fundraising activities. They can also generate money from criminal activities such as kidnappings, extortion, smuggling, and fraud. And their financial networks—their methods and means of moving money—use both formal systems (i.e., banks, licensed money remitters, and the Internet) and informal systems.

But TFOS and investigators from our 103 Joint Terrorism Task Forces around the country are able to apply certain financial investigative techniques—like credit history checks, reviews of banking activity, and government database inquiries—to counterterrorism cases to help track terror money trails. These techniques generate a treasure trove of intelligence: personal information like citizenship, date of birth, and phone numbers; non-terrorism-related criminal activity; previously known business and personal associations; travel patterns; communication patterns; and suspicious purchases.

These techniques can also help link previously unrelated cases, create historical timelines, and generate additional leads that allow investigators to use more sophisticated techniques like court-authorized electronic surveillance.

(DSS)
Kenyan Bill Stiffens Penalties Against Terror Financiers

Kenyan legislators have listed a bill that intentions to cut off terrorists from financial resources and close legal loopholes that could facilitate their commercial operations.

The proposed legislation, included in the 2013 Finance Bill tabled June 17th in parliament, would amend Kenya’s recent 2012 Prevention of Terrorism Act. Consequently, would change the Proceeds of Crime and Anti-Money Laundering Act by broadening the criteria that define terror activity.

The purpose of the bill seeks to address deficiencies in the criminalization of terrorism financing in order to comply with Financial Action Task Force standards on money laundering as stated by the Kenya’s Finance Secretary.

The bill proposes that individuals and companies be responsible for scrutinizing their clients thoroughly to ensure they are not doing business with terrorists or entities linked to terrorism.

Moreover, under the bill, businesses found dealing directly or indirectly with terrorist organizations would be considered accomplices and face hefty fines ranging from $163,000 to $291,000, while their owners could face jail terms of up to 20 years.

**Citizens welcome bill, pose questions:**

Although the law has been well received by the public in general, some Kenyans say they worry about its potential negative effect on the economy and are calling for clearer guidelines.

The potential negative effects that are posed by Morris Aron, a public relations officer at Deloitte, is that the dirty money out of Kenya will come with a cost for businesses, especially those in real estate, hospitality, transport, banking and legal services where these monies are believed to be transacted.

In addition, this would mean that the operation costs for companies will go up, as the companies will have to invest more in the technology and labor to carry out background checks.

*Volume 10 Number 4 July 2013*
The bill, however, would put Kenya on par with international conventions on terror financing and attract more foreign investment, said Gideon Maina, an international law professor at the University of Nairobi.

“Money laundering denies the government revenue due to tax evasion and distorts the economy, which is detrimental to foreign capital investments,” he told Sabahi. “Locally, it encourages diversion of resources, thereby promoting corruption and crime which lead to impaired economic growth.”

“In my view, this bill is a solution,” he said. (DSS)

EU to discuss blacklisting Lebanese militants Hezbollah

http://bbc.co.uk/news/world-middle-east-23397003

There are growing concerns in Western European diplomatic circles regarding Hezbollah. Hezbollah – or the Party of God is a powerful political and military organization in Lebanon made up mainly of Shia Muslims. This powerful organization is also a part of the Lebanon Government. This group has been involved in the war across the border in Syria, and the EU foreign ministers are due to meet to discuss calls to list the military wing of Lebanese militant group Hezbollah as a terrorist organization. There is a compelling evidence showing that Hezbollah was responsible for a bomb attack against Israeli tourists in Bulgaria last year in which six people die made more countries in EU support the movement to blacklist Hezbollah.

Britain and Netherlands have placed the military wing of Hezbollah on their national terrorism blacklists. Germany now seems more willing to designate Hezbollah’s military arm. French has up to now been cautious, fearing the pressure upon Hezbollah and their position has also been shifted. The continuing debate within the European Union about lifting the ban of arms sales to rebels in Syria, the fate of peacekeepers is also a growing concern as tension grow in these crucial border regions. However, Lebanese Government urged not to move against Hezbol-
lah, because the militant group is an essential component of Lebanese society.

The move to blacklist Hezbollah will need the agreement of all EU's 28 member states to call Hezbollah as a terrorist organization. If all 28 member states agree, the consequences will be that Hezbollah's sympathizers in Europe will no longer able to send the group money or for European diplomats to meet its militant staff. This matter is still going on debate within the EU. Some of the member states argue that it would be difficult to distinguish fully between the group's military and political wings, and even further it could destabilise the situation in Lebanon. (LP)

**Colombian President Vows to Fight Farc after Killings**

http://bbc.co.uk/news/world-latin-america-23349636

Colombia's President has ordered the army to not to stop shooting until the conflicts with the Farc rebels is over, after 15 soldiers died in an ambush. The President also ordered more troops to the eastern Arauca region, where the attack by suspected Farc gunmen took place. Bogota and Farc are currently holding talks in Cuba to end more than five decades of conflict. Colombian Government has rejected a rebel call for a truce during the talks. According to the Government, a ceasefire would only provide the opportunity for the left-wing rebels to regroup and rearm.

The peace talk between the rebels and the government has started in November, which represent the fourth attempt at a negotiated peace deal since the beginning of the conflict in the early 1960s. The last attempt to achieve peace collapse in 2002, when it has became clear that the rebels had become stronger during more three years of negotiations under a ceasefire. Farc rebels are thought to have some 8,000 fighters right now, which down from about 16,000 fighters in 2001. Colombian Government estimates that 600,000 people have been killed since the conflict began with some...
three million more internally displaced by the fighting.

The chief peace negotiator for Farc has said that the armed conflict that has lasted more than five decades is nearing an end. Farc has called on left-wing parties and unions to join the effort to achieve peace. Agreement has already been achieved on land reform, but the negotiations are still continuing between the Colombian Government and Farc rebel group.

Colombian Government wants a peace accord to be agreed by November, in the other hand, Farc made a statement that it is possible to have reach an agreement by November as long as there is no rushing into making a settlement because a bad peace deal is worse than the war that has been going on since 1960s. (LP)

Crowds March in Egypt to Protest Morsi Detention


CAIRO — Thousands of people, demanding that ousted president Mohamed Morsi be returned to power, marched in several Egyptian cities on Friday, as the United Nations chief human rights official said she had pressed Egypt’s new leaders to provide details about why Mr. Morsi was being detained. During clashes between pro- and anti-Morsi protesters in the Nile Delta city of Mansoura, state news media reported that at least three people were killed.

On Friday, a spokesman for Navi Pillay, the United Nations high commissioner for human rights, said she had asked the Egyptian government to provide “information regarding the legal basis upon which the former president and his presidential team are detained.”

Mr. Morsi has not been heard from since being deposed by Egypt’s military on July 3, and he has not formally been charged with any crime. The military has refused to divulge details about his detention, except to say that he is being held for the good of the country and for his own safety.
Several presidential aides have also been detained.

Before the protests on Friday, which Mr. Morsi’s supporters billed as an effort to “break the coup,” the army had warned that protesters who used violence would “endanger their life.” Late in the afternoon, large crowds streamed toward the Republican Guard club, where soldiers were standing watch, but there were no confrontations.

The protesters turned and headed toward Rabaa al-Adawiya square, their encampment for the last three weeks, amid signs that the long sit-in, and the now-daily marches, were taking a toll on Mr. Morsi’s supporters, as well on as residents of the neighborhood surrounding the encampment. Since the July 8 killings, the army has hemmed the protesters into an increasingly constricted space.

(MR)

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**Australia Adopts Tough Measures to Curb Asylum Seekers**


SYDNEY, Australia — Prime Minister Kevin Rudd of Australia moved on Friday to curtail the record number of people trying the dangerous boat journey to claim asylum in the country, pledging that no one who arrives by boat without a visa will ever be granted permission to settle in Australia.

Under the tough policy, all asylum seekers arriving in Australia by boat will be sent to a refugee-processing centre in nearby Papua New Guinea, which like Australia is a signatory to the United Nations Refugee Convention. If the asylum seekers are found to be genuine refugees, they will be resettled in Papua New Guinea, but forfeit any right to asylum in Australia.

Mr. Rudd, who is facing a hotly contested federal election within weeks, acknowledged that the policy was harsh and likely to face legal challenges. But he said that something had to be done to protect the lives of asylum seekers and to restore the integrity of the country’s borders. As for that
matter, David Manne, a prominent human rights lawyer who succeeded in blocking a similar proposal in 2011 to process migrants in Malaysia, questioned the legality of the move announced Friday, which he called a “fundamental abrogation of Australia’s responsibilities.” He warned that Mr. Rudd’s domestic political maneuvering could unintentionally set a precedent that threatens the entire global framework for protecting refugees.

No issue looms larger over Australian politics than how to deal with asylum seekers, and it is unclear whether Mr. Rudd’s tough new policy will score him any political points. One thing, however, is for certain: The crossings involving fatalities have continued without any sign of abatement. On Wednesday the government announced that a boat carrying around 150 asylum seekers had capsized in the Indian Ocean, killing four people. An infant was killed in a similar accident the previous week.

Many have been highly critical of conditions at the Manus Island camp where the Asylum seeker was sent to, and Friday’s announcement immediately drew the ire of rights groups. Last month, the Office of the United Nations High Commissioner for Refugees issued a report that called conditions there “below international standards for the reception and treatment of asylum seekers” and cited the “harsh” living arrangements for men in particular.

“The new plans to resettle all asylum seekers that are found to be refugees in PNG shows not only a complete disregard for asylum seekers but absolute contempt for legal and moral obligations,” Graeme McGregor, Amnesty International Australia’s refugee campaign coordinator, said in a statement. Furthermore, he stated that this policy is the mark of the day in history where Australia decided to turn its back on the world’s most vulnerable people, closed the door and threw away the key. (MR)
ICC requests Nigeria to arrest Sudan’s President during visit to Abuja

The request has been launched to Nigeria by International Criminal Court (ICC) to arrest the Sudanese President Omar Al-Bashir while he is on visit to Abuja attending African health summit. ICC requested Nigeria to surrender him to Court.

Mr. Al-Bashir is alleged war crimes, crimes against humanity and genocide committed in Sudanese region of Darfur. It has been estimated that 300,000 people have died since 2003 due to the fighting between rebel groups and government forces and their allies, militiamen known as Janjaweed. In 2009, ICC judges issued arrest warrant against him.

Nigeria is party to the Rome Statute, which makes Nigeria obliged to execute Court’s orders. Pursuant to the Rome Statute, state that fails to comply with request to cooperate with the Court may be referred to the Assembly of States Parties or to the Security Council.

Though the arrest warrants were issued, Mr. Al-Bashir has traveled to many African countries which are party to the Rome Statute. These states failed to arrest and surrender him to the Court.

Located in The Hague, in the Netherlands, the ICC is an independent, permanent court that tries persons accused of the most serious crimes of international concern – namely genocide, crimes against humanity and war crimes – if national authorities with jurisdiction are unwilling or unable to do so genuinely.

Darfur region of Sudan is one of the eight situations currently under investigation by the ICC.

(SYA)
UN Human Rights Chief Seeks Details from Egyptian Authorities on Recent Developments


High Commissioner for Human Rights Navi Pillay made the request to the Egyptian Authorities during 10 July meeting with Egyptian Ambassador in Geneva asking the detailed information regarding the legal basis of the detention of the former president and his team, issuance of arrest warrant and total number of people in custody pertaining to the recent change in government.

The crisis in the country escalated earlier this month, resulting in the Egyptian military deposing President Mohamed Morsy amid widespread protests in which dozens of people were killed and wounded. The Constitution was then suspended and an interim government set up.

Ms. Pillay through her spokes person Rupert Colville told the news conference in Geneva that they are waiting for the approval of the authorities regarding the deployment of a team to follow the developments on the ground.

High Commissioner has asked a list of name of persons against whom arrest warrants have been issued in connection with the events on and after 3 July, the day when Mr. Mosy was drove out, indicating who among these persons is now in detention, and information about the legal basis of the issuance of warrants. Besides, she is seeking information’s regarding the total number people who are currently detained in connection with the event on the axis of specific arrest warrants otherwise, as well as the legal basis upon which the former president and his presidential team are detained. (SYA)
BNN Says Ending VOA for Iranians Key in War on Drugs


The National Narcotics Agency (BNN) has released a policy to revoke visas-on-arrival (VOA) for Iranians, that is claimed by the Indonesian Government that such facility had been prone to abuse, in attempt to significantly curb the operation of international drug-trafficking rings in Indonesia, which will be effective by August 20. This policy was released citing the high number of Iranian nationals involved in most drugs cases. Last month only, the police found a kilogram of crystal methamphetamine hidden in an Iranian’s laptop at a hotel in Tangerang.

This action was taken following a meeting between Australian Prime Minister, Kevin Rudd and President Susilo Bambang Yudhoyono in Bogor, West Java, in early July.

“Following the recent arrest of Iranian citizens by BNN officers, we renewed our request to the Law and Human Rights Ministry to review the VOA facility for Iranians. It has finally approved it and we greatly appreciate the decision,” stated the BNN spokesperson, Sr. Comr. Sumirat Dwiyanto.

Iran is 1 of the countries which dominates the number of foreigners arrested by Indonesian officials for drugs trafficking, and some of the Iranians arrested hold important roles in controlling the multinational drug-trafficking rings. Out of 55 foreigners arrested in drugs cases in 2010, 21 of them were Iranians, 8 were Malaysians, and 5 were Chinese.

Law and Human rights Minister, Amir Syamsuddin, stated, “the main consideration is our national interest, even though keeping good relations with our neighboring country is also part of our national interest.” He also admitted that the concern raised by Canberra about the influx of Iranian asylum seekers travelling to Australia via Indonesia was taken into consideration in the new visa policy, but that it was not a dominant factor.
Several foreign media have claimed that the policy was issued based on a request from Rudd raised during the Bogor meeting, but Foreign Minister Marty Natalegawa denied the statement.

At first, effective in 2006, the granting of VOA facilities for Iran was aimed at facilitating the flow of Iranian tourists to Indonesia. According to 2007-2012 data from the Tourism and Creative Economy Ministry, however, Iran was not in the top 20 countries whose tourists visited Indonesia. With few thousand Iranians visiting Indonesia in 2011, the country was even listed far below fellow Middle-Eastern nations such as Saudi Arabia, Yemen, Kuwait and Egypt. (DGP)

Family of Egypt’s Mursi Claims Army Abducted Him


Military stated that, after they managed to dispose Mohamed Mursi, the latest Egyptian President, Mursi has been held at an undisclosed military facility since July 3 and has suspended the constitution of democracy against his one-year rule. The action was taken for his own safety, according to the army.

His family said that they would take immediate action related to Mursi’s detention, both in national and international level, against Abdel Fattah al-Sisi, the army commander and defence minister who are the keys in disposing Mursi from his Presidential chair.

Heba Morayef, Egypt director of Human Rights Watch, said that without a detention order from the prosecutor’s office, it was “completely illegal” to hold Mursi without charge beyond a maximum 48 hours.

“There is no legal or constitutional basis for detaining someone not accused of a crime for his own safety,” Mursi’s son, Osama, said in a news conference.

The army was accused by The Muslim Brotherhood, of organizing a coup d’etat that has shaken the democratic sense and created deep fissures in the Arab world’s most populous nation. The death
toll has reached over 100 people since the Egypt's first freely elected President, Mohamed Mursi, was deposed. Huge number of tears gas was fired to disperse hundreds of supporters and opponents of Mursi, who tossed stones to each other near Cairo's Tahrir Square which happened to be the centre of mass demonstrations before the fall of both Mubarak and Mursi.

The White House spokesperson, Jay Carney, instructed Egypt to call off all the "politicized arrest and detentions", including the one involving Mursi.

"We believe that his situation needs to be resolved in a way that is consistent with the rule of law and due process, and allows for his personal security," Carney said.

In a brief television address, Egypt's interim president, Adli Mansour, said it was time for the country to turn a new leaf.

"No malice or hatred or division or clashes or tamishing of those who gave. No breaking of those who worked hard. Now is the time to build our nation, reconciled with the past for a future that is reconciled with itself,” Mansour said.

The Muslim Brotherhood said that Mursi has not been able to be contacted since the "so-called coup" and that they believe that he has no access to a lawyer. Osama also said that his family has not been able to contact him, nor able to gain informations about his whereabouts.

Egypt's public prosecutor's office has conducted a criminal investigation against Mursi since July 13, examining complaints, including spying and inciting violence, without specifying who filed the complaints. Up until this news was released, no formal charges have been announced and army and judicial sources denied on Monday a report in state-run Al-Ahram newspaper that the public prosecutor had ordered the arrest of Mursi for 15 days pending the results of a probe. (DGP)